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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE
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12 PHILLIP F. ROBINSON,

CASE NO. 2:21-cv-00362-TL

13 Plaintiff,

ORDER TO SHOW CAUSE

14 v.

15 FAY LOAN SERVICING, LLC and
16 AZTEC FORECLOSURE
17 CORPORATION OF WASHINGTON,

18 Defendants.

19 The Complaint in this matter was filed on March 17, 2021. Dkt. No. 1. Plaintiff never
20 moved to proceed *in forma pauperis*, and there is no record of summons being issued in this
21 case. The Court denied Plaintiff's Request for Temporary Restraining Order and Application for
22 Court-Appointed Counsel on March 18, 2021. Dkt. No. 5. At that time, the Court noted that
23 Plaintiff had failed to "detail *any* efforts to provide any notice to Defendants or provide *any*
24 proof of service." *Id.* at 2-3 (emphases added). With regard to the request to appoint counsel, the
Court encouraged Plaintiff to "fil[e] a more fully developed motion..." *Id.* at 4.

In the nearly one year that has passed since that time, Plaintiff still has not provided proof that proper service of the Summons and Complaint has been made on Defendants as required by Federal Rule of Civil Procedure 4(m), and neither Defendant has yet appeared in the case. Plaintiff has filed no motions since receiving the Court's decision on the request for a Temporary Restraining Order. *See* Dkt. Nos. 1 and 5.

On May 14, 2021, the Court ordered a Status Report be filed by June 25, 2021. Dkt. No. 6. The Court extended that deadline to August 25, 2021 at the request of the Plaintiff. However, no Status Report has been filed, over five months past the deadline set by the Court. *See* Dkt. Entry from June 8, 2021.

Plaintiff is hereby ORDERED to show cause by **February 24, 2022**, why Defendants should not be dismissed without prejudice for failure to prosecute. Plaintiff must file proof that proper service has been effectuated on the named Defendants by that date or this matter will be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 10th day of February 2022.


Tana Lin
United States District Judge